IN THE UNITED STATES DISTRICT COURT U.S. DISTRICT

FOR THE SOUTHERN DISTRICT OF GEORGIA 2009 FE3 -3 A 9: 34

DUBLIN DIVISION

CLERE BMc Catty

TERRANCE B. SMITH,

Plaintiff,

CV 307-024 v.

JIMMY SMITH, Officer,

Defendant.

ORDER

After a careful, de novo review of the file, the Court concurs with the Magistrate Judge's Report and Recommendation, to which no objections have been filed. Accordingly, the Report and Recommendation of the Magistrate Judge is ADOPTED as the opinion of the Court. Therefore, Defendant's motion for summary judgment is GRANTED, Plaintiff's motion to deny summary judgment is **DENIED**, and an appropriate final judgment shall be

ENTERED in favor of Defendant.

SO ORDERED this 2 day of February, 2009, at Augusta, Georgia.

UNITED STATES DISTRICT JUDGE